UZBEK COTTON HARVEST 2023

RISK OF FORCED LABOR REMAINS HIGH: GOVERNMENT OFFICIALS USE COERCION TO ADDRESS SHORTAGE OF PICKERS

UZBEK FORUM
FOR HUMAN RIGHTS

ABOUT

Uzbek Forum for Human Rights (Uzbek Forum) is a Berlin-based NGO dedicated to protecting human rights and strengthening civil society in Uzbekistan. Uzbek Forum has monitored and reported on forced labor in Uzbekistan's annual cotton harvest every year since 2009.

ACKNOWLEDGEMENTS

Uzbek Forum is sincerely grateful to colleagues for their thoughtful comments and edits in preparing this report.

This report is dedicated to the human rights defenders and monitors who continue to be at risk of retaliation, harassment and intimidation for reporting on labor rights violations in Uzbekistan's cotton sector.

Cover Photo: Cooperative farmer, Ellikalla district, Karakalpakstan, January 4, 2024. © Uzbek Forum

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EXECUTIVE SUMMARY

The 2023 cotton harvest in Uzbekistan was marked by an acute shortage of pickers and uncertainty about the rates of pay for cotton pickers at the beginning of the harvest. For the first time, the state did not set the rates for pickers or the price of cotton for farmers which impacted the ability of farmers to calculate how much they could pay to cotton pickers. In addition, the state announced that the purchase price of cotton in 2023 would be determined through negotiations between cotton producers (farmers) and cotton buyers (clusters) without state intervention.[1] By the start of the harvest, many clusters had not negotiated the price of cotton with farmers who did not learn how much they would be paid for their cotton until December, after it had been delivered.

The cotton harvest lasted longer than in the previous two years, beginning in the first week of September 2023 and, in some districts, continued until the end of November.[2] The central government continues to set an annual production target, similar to the previous state-imposed quota system, which is distributed among all of Uzbekistan's regions and districts. The national production target is determined by the allocation of production targets for particular crops in each district of the country.

The system of state control over the cotton harvest remained unchanged. The police, the prosecutor's office, emergency services, and tax authorities comprise the four sectors in each district or region that are tasked with overseeing the timely harvest of cotton throughout the country, along with hokimiyats (local administrations) who are responsible for ensuring fulfillment of production targets for each district.[3]

The Presidential Advisor for Agrarian Development, Shukhrat Ganiev, personally oversaw the pace of the cotton harvest, receiving daily reports from hokims (heads of regional and district administrations) in meetings held by video conference.

A meeting dedicated to the organization of the cotton harvest attended by Zoir Mirzaev, hokim of Tashkent region, and Tashkent regional officials, Tashkent region, September 8, 2023. © UzA national news agency.

1 Cotton textile clusters are private enterprises whose scope of activities includes growing cotton, primary and deep processing of raw cotton, textile manufacturing and export of cotton-textile products.
2 Operational information on preparation of raw cotton in the regions of the Republic of Uzbekistan, October 17, 2023. On file with Uzbek Forum.
3 Each district is conventionally divided into four sectors, which are responsible for the socio-economic development of the district: hokim, prosecutor, chief of police and head of the tax inspection.

Monitoring by Uzbek Forum showed that there was no widespread, systematic, government-imposed forced labor during the 2023 harvest. However, monitors observed a distinct increase in reports of forced labor throughout the harvest in interviews and across social media channels. In the five regions where monitoring was conducted, monitors documented instances of forced labor of employees of banks and state-owned organizations to pick cotton, revealing that in the face of a shortage of pickers, government officials resorted to coercion to fulfill cotton production targets. These findings indicate a real risk that forced labor could again become widespread without the necessary civil and political changes that ensure reforms to eliminate forced labor do not backslide.

Although there was no order from the central government to organize the forced mobilization of cotton pickers, it is nevertheless evident that Presidential Advisor Shukhrat Ganiev exerted enormous pressure on regional officials to meet production targets, who, in turn, issued orders to forcibly mobilize cotton pickers. The system of coercion in Uzbekistan's cotton production is essentially passed down a chain of command that begins at the top of government.

Despite reforms to privatize the cotton sector through cotton clusters (vertically integrated producers of cotton and cotton products) and commitments to abolish production quotas that were identified as key drivers of forced labor, the government has continued to impose de facto quotas for cotton production for farmers. Clusters therefore benefit from a guaranteed supply of a predetermined amount of cotton delivered by farmers contracted to supply them.

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METHODOLOGY

From September to November 2023, Uzbek Forum monitored the organization of the cotton harvest with a particular focus on forced labor of cotton pickers, the motives of officials to impose forced labor and the role of the state in ongoing violations, as well as relationships between cotton producers (farmers) and cotton buyers (cotton-textile clusters). According to the International Labor Organization (ILO) Convention 29, forced labor is defined as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily."[4]

Over the course of three months, seven Uzbek Forum monitors conducted 87 in-depth interviews with cotton pickers, farmers, mahalla employees (neighborhood community representatives), mahalla residents, representatives of cotton clusters, employees of state organizations and district hokimiyat officials. In addition, dozens of short interviews were conducted with pickers on the fields.

Uzbek Forum monitors are trained in ILO labor rights conventions, human rights, interview techniques and data collection. They have years of experience in documenting human rights violations and forced labor in Uzbekistan's cotton sector and generally live in the areas they monitor. Their familiarity with the communities in which they live and work gives them unique access to a range of sources, including local officials, cluster employees, farmers, as well as pickers themselves who are more likely to share information with local people rather than international monitors.

Interviews were conducted in the Uzbek language in 23 districts in five regions: Andijan, Fergana, Khorezm, Jizzakh, and Kashkadarya. In addition, Uzbek Forum reviewed approximately one hundred posts on social media channels, as well as letters and videos published on various Internet sites, including official statements by hokimiyats which periodically published information on the progress of the harvest. In districts and regions such as Karakalpakstan and Namangan where forced labor was reported but Uzbek Forum was not able to conduct monitoring on the ground, these reports were corroborated via trusted sources in Uzbek Forum's network of human rights defenders, journalists and activists, as well as leaked documents and audio recordings.

4 ILO Forced Labour Convention, 1930 (No. 29), Article 2 (1), https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:C029.

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ADMINISTRATIVE CONTROL AND USE OF COERCION BY OFFICIALS

> “Open a criminal case against the hokim of Kuva district...”

Cotton clusters produce cotton either by conducting so-called “direct farming”, whereby the cluster employs farm workers to produce the cotton, which is generally done by machine harvesting, or by “contract farming”. The vast majority of clusters conduct “contract” farming, whereby clusters contract farmers to produce set amounts of cotton at set prices which are supposed to be negotiated between the two parties. Contract farmers, who produce 85-90% of all cotton, generally harvest their cotton by hand and therefore rely on the availability of pickers. The scope of monitoring focused on contract farming only, with the exception of Indorama Agro cluster in Syrdarya region where monitors and workers were subjected to threats and intimidation making monitoring impossible.

Although cotton is produced by farms (independent business entities) for cotton textile clusters (private enterprises), the state continues to control core processes related to cotton production. Local departments of the Ministry of Agriculture set cotton production quotas for farmers while hokimiyats often force farmers to enter into contracts with clusters located in the same districts where cotton is grown. Local representatives of the Ministry of Agriculture also oversee the “appropriate use of land”, i.e., that the land allocated to farmers is used only for growing cotton or grain as stipulated in their land lease agreements.[5] During the harvest, hokimiyats assign local police to ensure that farmers submit all harvested cotton to the cluster on a daily basis. Hokimiyats also instruct mahalla officials to recruit cotton pickers receiving social assistance to go out to pick cotton.

Ўзбекистон Республикаси вилоятларида пахта хомашёсини тайёрлаш тўғрисида тезкор
М А Ъ Л У М О Т

17.10.2023 йил

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		Шартнома, тонна	Бир кунда		Мавсум бошидан			
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1	Сирдарё вилояти	270 000	2 012	0,7	293 866	108,8	-776	-0,3
2	Сурхондарё вилояти	268 000	360	0,1	289 912	108,2	-17	0,0
3	Хоразм вилояти	310 000	1 835	0,6	314 706	101,5	-317	-0,1
4	Жиззах вилояти	290 000	2 294	0,8	293 827	101,3	-348	-0,1
5	Тошкент вилояти	260 000	4 503	1,7	258 183	99,3	-1 927	-0,7
6	Самарқанд вилояти	265 000	3 046	1,1	262 753	99,2	-141	-0,1
7	Қашқадарё вилояти	450 000	5 034	1,1	443 634	98,6	-1 533	-0,3
8	Бухоро вилояти	362 000	3 592	1,0	356 865	98,6	-583	-0,2
9	Фарғона вилояти	286 000	3 839	1,3	281 055	98,3	-223	-0,1
10	Навоий вилояти	105 000	1 482	1,4	102 809	97,9	-408	-0,4
11	**Андижон вилояти**	**272 000**	**2 724**	**1,0**	**265 416**	**97,6**	**248**	**0,1**
12	Наманган вилояти	231 000	2 756	1,2	220 423	95,4	17	0,0
13	ҚҚР	251 000	2 812	1,1	237 172	94,5	-466	-0,2
Республика бўйича:		**3 620 000**	**36 289**	**1,0**	**3 620 621**	**100,0**	**-6 474**	**-0,2**

Cotton harvest schedule published online showed that on October 17 100% of the planned crop was allegedly already harvested. (Photo from social media.)

5 Land lease agreements between farmers and the state are usually concluded for a period of 30 years.

According to official data, 3.8 million tons of cotton were produced in Uzbekistan in 2023.[6] District and regional hokimiyats periodically reported on the progress of the cotton harvest to Shukhrat Ganiev, advisor to the President and responsible for oversight of the harvest. Monitors in all districts found that hokims personally traveled to the fields and distributed incentive gifts to the most productive pickers. The amount of cotton harvested by each district was recorded every day.

Officials tasked with ensuring the timely fulfillment of daily cotton production targets are obliged to attend meetings and report on progress to Shukhrat Ganiev. Leaked recordings of these meetings reveal the level of pressure exerted on officials to fulfill these targets under threat of penalty, including dismissal and even the threat of criminal proceedings.

According to an employee of the district hokimiyat in Khorezm region interviewed[7] by Uzbek Forum, "Every morning at 7 am, meetings were held in the regional hokimiyat, where daily cotton harvest summaries were reviewed. The morning reports were sent to the President's Office. At 1 pm, Shukhrat Ganiev, the Presidential Advisor on Agrarian Development, held meetings via Zoom, which were attended by hokims, deputies and the head of the sectors of districts and regions. Ganiev listened to reports on the pace of cotton harvesting, scolded the leaders of districts that were behind on their targets and demanded that the pace of harvesting be stepped up."

In mid-September, a leaked video[8] of a Zoom conference held by Shukhrat Ganiev went viral on the internet. During the meeting, the presidential advisor reprimanded the hokims of lagging regions for low rates of cotton harvesting and insufficient numbers of mobilized pickers. Ganiev's speech implied that several regions could not mobilize tens of thousands of people to pick cotton and were significantly behind with the cotton harvest schedule. In particular, he remarked, "Out of 220,000 required pickers only 140,000 went out in Kashkadarya and only 100,000 out of the required 160,000 went in Bukhara." During the meeting, Ganiev threatened the heads of the regions with criminal prosecution for failing to organize a timely and successful harvest: "Fergana, you have to harvest 11,500 tons according to the schedule. Only 8,300 tons have been harvested. Besharik, Baghdad, Yazavan, Rishtan, Kushtepa, Uzbekistan — summon the hokims to the prosecutor's office. Open a criminal case against the hokim of Kuva district..."

A farm worker transports cotton branches for heating in households. Andijan region, November 2023. © Uzbek Forum.

6 Uz Daily, December 9, 2023, *Узбекистан в 2023 г вырастил 8,2 млн тонн зерна, 3,8 млн. тонн хлопка*: https://www.uzdaily.uz/ru/post/81902.
7 Interview with hokimiyat employee, October 10, 2023, on file with Uzbek Forum.
8 Eltuz, September 17, 2023, Paxta2023: *Shuhrat G'aniyevdan navbatdagi "master klass"*: https://www.youtube.com/watch?v=Mrh3rfxYtIM.

Cotton picker, Andijan region, October 2023. © Uzbek Forum

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RATES OF PAY FOR COTTON PICKERS

The government did not announce an official rate for cotton picking, as in previous years, causing confusion among farmers and leaving some pickers uncertain about offering themselves for work. During the first week of the cotton harvest, farmers did not know how much to pay pickers, as rates for harvesting cotton have historically been set by the state and made known to farmers before the start of the cotton harvest in August. In early September 2023, a number of media outlets reported that rates for pickers would amount to 2,100 UZS ($0.17 US) per kilo for the first stage and 2,600 UZS ($0.21 US) for the second stage[9] of the cotton harvest, but this information was refuted the next day.[10] In a statement at the beginning of September, 2023, the Ministry of Agriculture said that, "At the moment, the rates have not yet been set. They are being coordinated with ministries."[11]

No official announcement on the rates for cotton pickers was made, but by mid-September monitors learned from farmers that, in the absence of state guidelines, many were setting payments at last year's level of 1,500 UZS ($0.12 US) per kilo of harvested cotton at the beginning of the season and 1,800-2,000 UZS ($0.16 US) by the middle of the cotton harvest.

Calculated against inflation, the actual income of pickers in 2023 was therefore less than the year before as prices for basic food and services increased by 10-30% over the previous year.[12] The

9 Picking rates are set at a higher level during the first phase of the harvest when cotton in the fields is plentiful and the earning potential of pickers is high. As the season progresses, there is less cotton to be harvested, weather conditions worsen and it is more time consuming to harvest the remaining cotton. Payments to pickers therefore increase during the later stages of the harvest in order to attract sufficient numbers of pickers.

10 Repost, September 4, 2023: *Выяснилось, сколько заплатят сборщикам хлопка в Узбекистане в этом году*: https://repost.uz/vot-i-tarifi-po-belomu-zolotu.

11 Daryo.uz, September 4, 2023, *Қишлоқ хўжалиги вазирлиги пахта терими бўйича нархлар ҳақидаги хабарларни рад этди*: https://daryo.uz/k/2023/09/04/qishloq-xojaligi-vazirligi-paxta-terimi-boyicha-narxlar-haqidagi-xabarlarni-rad-etdi.

12 Gazeta.uz, January 3, 2024, *Инфляция в 2023 году — 8,77%. Как изменились цены в Узбекистане за последний год*: https://www.gazeta.uz/ru/2024/01/03/inflation/.

shortage of pickers during the 2023 harvest appears to have been driven by comparative low rates of pay combined with a lack of clarity about earning potential for pickers.

Most of the farmers interviewed said that although they were suffering from a shortage of pickers, they could not afford to raise picking rates as the purchase price of cotton remained unknown until the end of October, leaving them unable to calculate the cost of pickers against their overall costs for cotton production. Other reasons cited by respondents for the shortage of pickers included higher earning potential in other agricultural jobs, making cotton picking less attractive. In addition, a government policy introduced over the past two years to allocate land to more than 600,000 villagers, "created more than 2 million permanent and seasonal jobs," further reducing the available supply of cotton pickers.[13] Furthermore, tens of thousands of migrant workers returned to Uzbekistan from Russia and other countries in 2020 and 2021 due to the pandemic, which increased the supply of seasonal workers to pick cotton during those harvests. Many of those workers have since returned to Russia and elsewhere.[14]

As explained by a mahalla employee in Zafarabad district in Jizzakh region, "People were busy working on their own plots. In our mahalla there are many families whose relatives work abroad. Such families do not go out to pick cotton. In addition, there are lakes near us where fish are cultivated. People work there."[15]

Several farmers and cluster representatives interviewed said that there is no clear mechanism for the clusters' role in the recruitment of cotton pickers. Most clusters do not help farmers to find and recruit pickers and their participation is limited to providing cash to pay them. Both clusters and farmers still expect local authorities to recruit cotton pickers. Some clusters hire "cotton brigade leaders" to recruit and coordinate a group ("brigade") of pickers, but it appears that this is not enough to attract tens of thousands of people in every district without increasing payment.

Brigade leaders hired by Koson Baxt Tekstil cluster in Kasan district in Kashkadarya region described the difficulty of finding pickers: "We would leave the house at 6 am and come back at 12 am and agitate people to go out to pick. It was very difficult to find 100-150 pickers to form brigades." By the end of December 2023, the brigade leaders themselves gathered outside the premises of the Koson Baxt Tekstil cluster to demand three months' payment from the cluster owed to them for their work throughout the cotton harvest season.[16]

13 Statement by the Government of Uzbekistan, December 20, 2022: https://president.uz/ru/lists/view/5774.
14 Daryo.uz, September 12, 2023, *Количество мигрантов из Узбекистана в России стало в 12 раз больше*: https://daryo.uz/ru/2023/09/12/kolmcestvo-uzbekskih-migrantov-v-rossii-stalo-v-12-raz-bolse.
15 Interview with mahalla worker, Zafarabad district, Jizzakh region, November 14, 2023, on file with Uzbek Forum.
16 Radio Ozodlik, December 31, 2023, Paxta-2023: *Klaster pulni bermayapti:* https://www.youtube.com/watch?v=55idw1ICsOE.

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HIGH RISK OF FORCED LABOR OF COTTON PICKERS

> "If they tell me to pick cotton, I go and do it."

Administrative control over the harvest, threats of punishment of hokims who failed to fulfill cotton harvest targets and demands on hokims to increase the speed of the harvest were the main reasons for the coercion of employees of state organizations and banks to either pick cotton themselves or pay for replacement pickers. The scale and degree of coercion of employees of state organizations depended on the availability of voluntary cotton pickers in certain districts and stages of the harvest. (As the harvest progresses, there is less cotton to pick and therefore lower earning potential for pickers which is usually addressed by increasing rates of pay during the later stages.)

In most cases of documented forced labor, employees of state-owned organizations were instructed by their employers and/or superiors to either pick cotton themselves or pay for replacement pickers for 7-10 days in their place. Given that there is an implicit understanding among employees and citizens that refusal to accept requests or instructions from their superiors or people in authority can lead to reprisals and even dismissal from their jobs, employees are effectively coerced into complying.

Uzbek Forum monitors documented a notable increase in instances of coercion of state employees to pick cotton, compared to previous years since the elimination of widespread, state-imposed forced labor of cotton pickers during the 2021 harvest.[17] Although there is no longer an order from the central government to organize forced mobilization for cotton picking, the system of administrative coercion and control creates incentives for officials to turn to forced labor to deal with shortages of pickers. Heads of those regions that were threatened by Presidential Advisor Shukhrat Ganiev, in turn, gave orders to their subordinates to send employees of state organizations to pick cotton, evidenced by documentation of instances of forced labor in the districts that were lagging behind cited by Ganiev during harvest meetings.

In all five regions monitored, Uzbek Forum monitors also documented cases of local authorities forcing state and bank employees to pick cotton themselves or to hand over money to hire replacement pickers. Monitoring findings show that instances of forced mobilization were highest in the districts with the most shortages of pickers.

Hokims did not force employees of educational and medical institutions to participate in cotton picking. However, depending on the regions, employees of large state-owned organizations including water management, gas supply, and electricity companies, as well as banks, youth agencies,[18] district treasury agencies, and district hokimiyats and mahallas had to participate in cotton picking personally or pay to hire replacement pickers. In Khorezm and Karakalpakstan, local officials instructed employees of organizations to go to help pick cotton on weekends, while in Fergana, Namangan, and Kashkadarya regions, employees of organizations, including utilities companies, banks, youth agencies, district treasury agencies, and district hokimiyats, were instructed to go to pick cotton with an overnight stay for 10-15 days or hire pickers for 10 days. Several of these organizations had no involvement in the cotton harvest in the previous two years.

17 Uzbek Forum for Human Rights, March 10, 2022, *Cotton Campaign Ends its Call for a Global Boycott of Cotton from Uzbekistan:* https://www.uzbekforum.org/cotton-campaign-ends-its-call-for-a-global-boycott-of-cotton-from-uzbekistan/.

18 The Agency for Youth Affairs of the Republic of Uzbekistan implements state policy and regulation in the area of youth work. The Agency is part of the Ministry of Youth Policy and Sport.

> “If I refuse, I’ll have problems with my boss.”

Uzbek Forum monitors conducted interviews[19] with workers at the offices of Uchkuprik district electricity grid in Fergana region. As one employee explained, “The boss said I should go to pick cotton. Village women alone are not enough to pick all the cotton for the farmer. Cotton is our ‘wealth’ and we must pick it before the cold and rain come. And if I refuse, I’ll have problems with my boss. He’ll nag me about my work and might take away my bonus.” When asked if the worker had ever been punished for refusing to pick cotton in the past, he responded, “No, but I have never refused before. If they tell me to pick cotton, I go and do it.”

Pickers in Nishan, Kashkadarya, October 7, 2023. © Elena Urlaeva

The largest number of reports of coercion of employees to pick cotton or pay money for replacement pickers were observed in Namangan and Kashkadarya regions. Uzbek Forum found the most instances of coercion of cotton pickers in several districts in Namangan region which appear to have experienced an acute shortage of pickers.

Uzbek Forum monitors were not present on the ground in Namangan. However, monitors were able to verify reports of the forced mobilization of state and bank employees in the region through leaked documents, audio recordings, and telephone interviews. According to one document alone, dated October 4, 2023, 13 banks in Namangan region were instructed to find 1,850 people to pick 111,000 tons on October 4. The document confirms that 1,448 pickers, either bank employees themselves, or replacement pickers they had hired, picked 82,182 tons of cotton that day.[20] It follows that each regional branch was expected to recruit 50-200 pickers on that day. A monitor from Uzbek Forum, posing as a cotton picker looking for work, called several bank employees whose names and contacts were listed in the document to clarify how bank employees were recruiting replacement pickers. One employee confirmed to the monitor that the bank was looking for cotton pickers and proceeded to negotiate a price with the monitor to go to the fields in their place.

In mid-September, mahalla employees from Namangan city posted a letter to the Telegram channel of Eltuz, an independent Uzbek news and information website, stating that despite their efforts, they were having difficulty finding the necessary number of pickers. “The hokimiyat doesn’t want to understand this... we are being threatened. If there are no people, where will we get them from?”, the letter said.[21]

Not all workers mobilized to harvest cotton were recruited forcibly. In less populated regions, such as Jizzakh and Syrdarya, which generally have difficulty recruiting sufficient numbers of pickers, machine picking was organized, while cotton pickers from other regions were voluntarily recruited by

19 Interviews with workers of the district electricity grid office, Fergana region, October 8, 2023, on file with Uzbek Forum.
20 Document on file with Uzbek Forum.
21 Eltuz Telegram channel, September 13, 2023: https://t.me/eltuz2022/23670.

hokimiyats.[22] Dozens of mahalla employees interviewed by Uzbek Forum monitors said they primarily try to find incentives to motivate residents to pick cotton by offering additional payments. A mahalla resident in Uchkuprik district in Fergana region, who had been picking cotton for a month, said that this year the mahalla offered her an additional payment of 70,000 UZS per day at the beginning of the season and 100,000 UZS and one liter of oil per day in the second half of October. Such incentives are offered to recruit and retain voluntary pickers.

> “We do not know where to complain.”

A farmer from Pop district in Namangan region told Uzbek Forum monitors that the local hokimiyat sent employees of the district water management organization to pick cotton on his farm. Although all respondents answered they know that coercion to pick cotton is prohibited by law, farmers are now placed in a difficult position in which they are forced to either accept forced labor on their fields and run the risk of prosecution or fail to meet their production targets and face punitive actions from officials and/or cotton clusters. “They [the cotton pickers] pick cotton badly, but I can’t admonish them so they don’t complain [to the authorities]. They know it is illegal to force them to pick cotton”, the farmer said.[23]

As the pressure on officials to fulfill production targets increased, so too did the threats of reprisal to coerce people into picking cotton or hiring replacement workers and were at times highly aggressive. On October 15, 2023, the Uzbek media outlet Effect.uz published an audio recording[24] of police officers in Pop district, Namangan region, who were heard discussing how to find people to pick cotton. In a conversation replete with abusive language, someone who appeared to be a senior police officer is heard demanding that his subordinates “hire 20 cotton pickers tomorrow for 50,000 UZS,” while claiming that he himself has even taken his own family members to pick cotton.

Some district organizations in Kashkadarya region sent their employees to pick cotton in remote areas with overnight stays. For example, in Mirishkor district, cotton was picked by employees of various regional state organizations, among whom were also employees of the Ministry of Emergency Situations.

In mid-September, Radio Ozodlik published a video message from forestry workers in Dehkanobod district in Kashkadarya complaining that they were being sent to pick cotton while they had a lot of urgent ongoing work. “We were told to go to pick cotton by the Department of Ecology of Kashkadarya region. But we have a lot of our own work. What work should we do? We do not know where to complain. They say that it is compulsory to go to pick cotton. But we work from morning till evening. We have to fix pipes, water young trees. We ask the hokim and the president to help us. If we go to pick cotton, the trees will dry up”, the employees said in the video.[25]

On September 14, the Telegram channel of blogger Shukhrat Shokirjonov published a message[26] quoting an employee of the thermal power station in Muborek district in Kashkadarya region about demands on each employee to pay over one million UZS for the cotton harvest. “The supervisors are telling us to pay money for cotton picking, that is, they say that everyone has to pay one million UZS per person for two months. Is that right?” the message asked.

A message published by Eltuz on October 6[27] states that “the director of the Treasury Department, an agency of the Ministry of Finance, in Kashkadarya region ordered each employee of the city and district offices to hand over one million UZS ‘to hire pickers’”.

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22 At the time of writing, it is not known what percentage of cotton was machine harvested in 2023.
23 Interview with farmer in Pop district, Namangan region, September 27, 2023, on file with Uzbek Forum.
24 Effect.Uz, October 15, 2023, *ПАХТА ҚУЛЛИГИ, МАЖБУРИЙ МЕҲНАТ! ИИБ ХОДИМЛАРИ КАМПАНИЯ ФАОЛЛАРИ*: https://www.youtube.com/watch?v=N4lOx7HgY_M.
25 Ozodlik Telegram channel Sizdan, September 23, 2023: https://t.me/sizdantelegram/44018.
26 Telegram message posted by Shukhrat Shokirjonov, September 14, 2023: https://t.me/shokirjonov/5470.
27 Eltuz Telegram channel, October 6, 2023, *ҚАШҚАДАРЁДАГИ ҒАЗНАЧИЛАР КАТТАСИ ХОДИМЛАРДАН ПАХТА УЧУН 1 МИЛЛИОН СЎМДАН ЙИҒИБ ОЛМОҚДА*: https://t.me/eltuz2022/24134.

> “Instead of buying food for my children I gave one million UZS from my family’s budget to pick cotton.”

An Uzbek Forum monitor spoke with two employees of the Hududgaz Kashkadarya gas supply company in Kasbi district in Kashkadarya region who hired cotton pickers for ten days, paying them 100,000 UZS per day. “Instead of buying food for my children I gave one million UZS from my family’s budget to pick cotton. I could probably refuse, but I know the boss won’t like it and will pick on my work and look for faults”, the employee said.[28]

In Nishan district in Kashkadarya region, Uzbek Forum monitors documented employees of state organizations from Karshi city and other districts of Kashkadarya region picking cotton. One picker told monitors that most of those who came to pick cotton were hired by employees of state-owned organizations, mainly from the Talimarjan power station.[29]

Human rights activist Elena Urlaeva also reported on the use of forced labor of cotton pickers in Nishan district in Kashkadarya region. “Since September 13, 2023, 150 employees of the roadworks service were forcibly taken to pick cotton. This is a group of cotton pickers from “Uzavtoyol” (part of the Ministry of Transport) from different cities in Kashkadarya including Mubarek, Kasbi, Yakkabag, Shahrisyabz, and Kitab. Pickers slept in old barracks in unsanitary conditions in Mirishkor district and worked from morning till late.”[30]

Employees of several state utilities organizations in Fergana and employees of mahallas in Buvayda and Uchkuprik districts in Fergana region were sent to pick cotton. The Youth Agency in Fergana city told its staff to each find two cotton pickers and bring them to the cotton fields over the weekend. A screenshot[31] of a message posted on Telegram from the Fergana Youth Affairs Agency on October 9, 2023, states, “It is mandatory to bring two people each tomorrow. We will gather at 7am at the Palace of Arts so that 100% come and don’t make up different reasons.”

The Youth Agency in Nukus city wrote to Radio Ozodlik: “The city government is forcing us to find people to pick cotton. Each employee should find three people for 15 days. Since we are at work, we pay money from our own pockets. Pickers are asking for 100,000 UZS per day. We have to pay 1.5 million UZS per person. Our honorable president spoke about the abolition of forced labor on the UN podium. But the administration of Nukus city is acting contrary to the policy of the head of our state.”[32]

Uzbek Forum spoke to an employee of the Republican Children’s Sanatorium in Xojeli in Karakalpakstan who said that staff had been required to go out to pick cotton on weekends since mid-October. The employee told Uzbek Forum she had paid 70,000 UZS per day to hire a picker for weekends.

Presumably in response to the flood of reports of forced labor in the cotton harvest spreading on social media, Bobur Bekmurodov, the chairman of the national movement Yuksalish, a quasi-governmental NGO, and a member of the Uzbek parliament, published an appeal calling for an end to coercion to pick cotton, stating that, “These days, cases of illegal involvement of people to pick cotton in some districts have become a cause of public debate. This practice should be completely eradicated. Old management approaches should be gotten rid of.”[33]

Messages from Fergana Youth Agency to Radio Ozodlik describing forced mobilization. Photos from social media, October 9, 2023.

28 Interviews with two employees of the Hududgaz Gas company, Kasbi district, Kashkadarya region, September 18, 2023, on file with Uzbek Forum.
29 Interviews with employees, October 10, 2023, on file with Uzbek Forum.
30 Email to Uzbek Forum from Elena Urlaeva, December 1, 2023, on file with Uzbek Forum.
31 Screenshot of message on file with Uzbek Forum.
32 Message posted Ozodlik Telegram channel, Sizdan, September 21, 2023: https://t.me/sizdantelegram/44075.
33 Kun.uz, October 4, 2023, *Жойларда пахтага мажбурлаш ҳолатлари кузатиляпти. Депутат бунга батамом барҳам беришга чақирди*: https://kun.uz/news/2023/10/04/joylarda-paxtaga-majburlash-holatlari-kuzatilyapti-deputat-bunga-batamom-barham-berishga-chaqirdi.

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PARTICIPATION OF MAHALLA IN THE COTTON HARVEST

> “Will we ever be free of cotton?”

Mahalla committees, although declared formally as independent self-governing bodies, are subordinate to local authorities or hokimiyats and are traditionally the main organ tasked with the recruitment of cotton picking brigades from among mahalla residents. Mahalla leaders receive quotas from hokimiyats, i.e., the precise number of pickers they must take to the fields each day during the entire cotton season in order to fulfill production targets. Mahalla chairmen are obliged to participate in meetings on the progress of the cotton harvest and report periodically to the hokims on the number of pickers they have successfully recruited.

As the mahalla is responsible for distributing child allowances and social benefits for low-income families, it maintains records of all low-income families in their neighborhood and has historically been tasked — formally or otherwise — with recruiting members of low-income families for the cotton harvest, as was the case during the 2023 harvest.

Since the funds allocated for social support of mahalla residents are limited and the number of people in need of such assistance exceeds the number of those whom the mahalla can support, the mahalla has an effective tool to influence or pressure citizens who receive social assistance from the state into picking cotton, as the mahalla traditionally approves the list of beneficiaries. Mahalla staff interviewed by Uzbek Forum monitors admit that when there is a severe shortage of pickers, they have to resort to pressure in the form of expressing doubts that “there may not be enough money to continue payments for the next six months.”[34]

One mahalla chairman explained, “It is difficult for me to find pickers and the hokimiyat constantly demands that we bring people to the fields. Where to get them if people don’t want to? When the cotton harvest started, people came out voluntarily, but now they don’t want to. People are tired. It is a pity, of course. There is a lot of cotton left in the fields, but people do not want to go out for the second harvest. There are no people this year. I was instructed to take out 70 pickers these days, but I can barely bring 30-40. At meetings in the hokimiyat they scold us, but we are used to it. Now people know that it is impossible to use force, it is becoming more and more difficult for the mahalla to find pickers. It is needed to either raise the wages for cotton picking or pick cotton by machines.”[35]

> “We are tired of coercion and insults.”

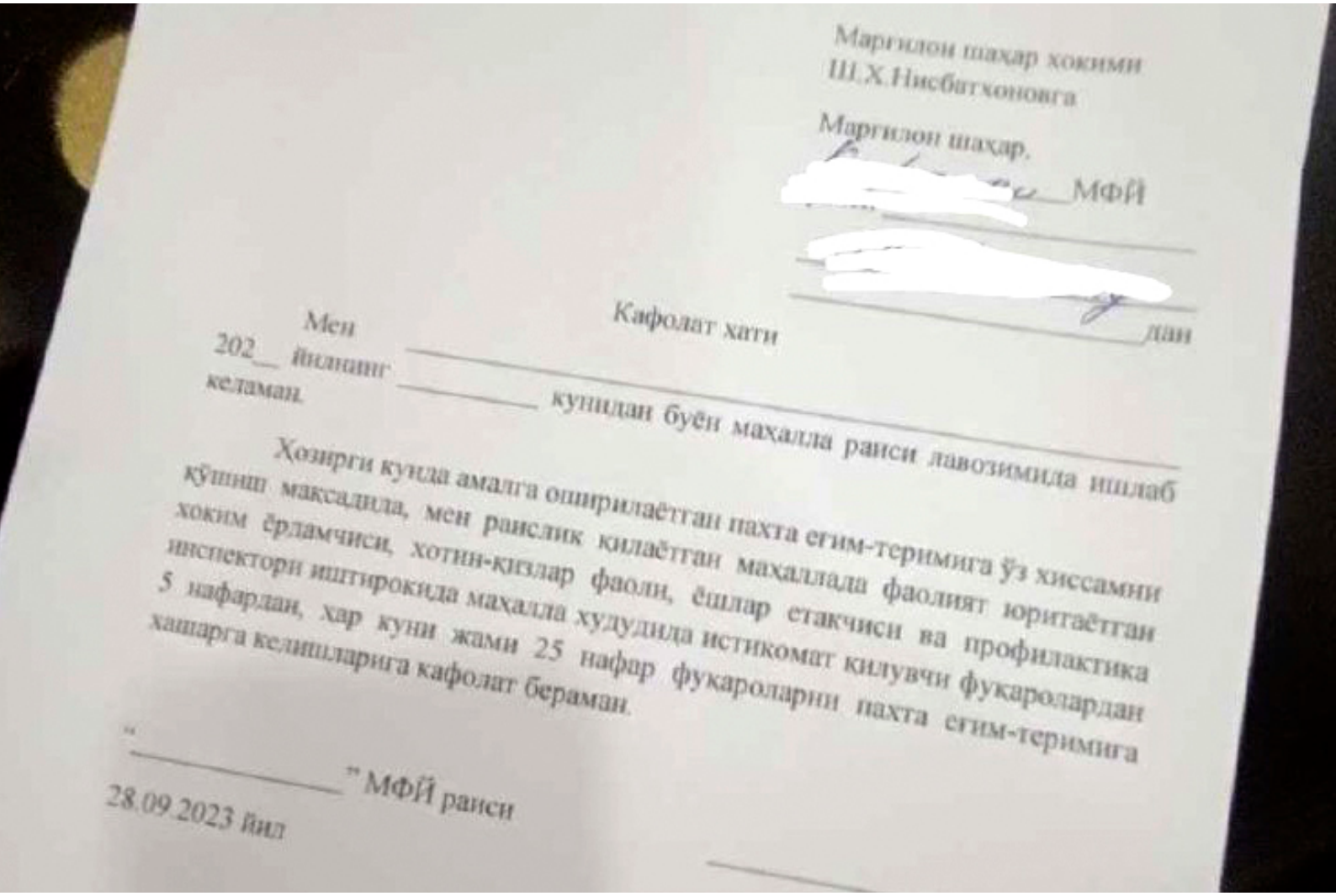
Mahalla employees acknowledge that a multi-year government campaign to inform the population about the prohibition of forced labor has led to people realizing that coercion to pick cotton is illegal and say that they are now in a difficult and contradictory position: they can be punished for not mobilizing sufficient pickers to the fields, but they can also be prosecuted for forced labor if mobilized pickers object.

Most of the mahalla officials interviewed complained of the difficulties finding pickers and pressure from the hokimiyat, including public insults and threats at meetings. On September 24, Eltuz received a letter from mahalla workers in Uzbekistan district in Fergana region describing the situation: “We are tired of coercion and insults. This pattern is repeated every time.” The letter was accompanied by a

34 Interview with mahalla official, October 10, 2023, on file with Uzbek Forum.
35 Interview with a mahalla chairman, Andijan region, November 7, 2023, on file with Uzbek Forum.

14-minute-long video of a meeting in the hokimiyat[36] on the pace of cotton picking in which Uzbekistan district hokim Sherzod Yuldshev addresses mahalla employees and his assistants as “unscrupulous jerks” and “beasts”. He scolds them for “lack of initiative” and threatens to fire them for failing to recruit enough pickers. Yuldshev can be seen addressing mahalla employees and hokim assistants: “The cotton is ready. It is waiting to be picked. None of you strive to organize the cotton picking properly. You are all shameless lazy people.”

Some mahalla officials sent open letters to media outlets[37] to voice their frustration at their treatment and pressure meted out by their superiors at hokimiyats. A letter from mahalla officials published by Eltuz stated, “We are sending an appeal from the city of Margilan, Fergana region. Employees of mahallas are being forced to write a letter of guarantee to bring 25 pickers per day. How can the demands of writing such a letter of guarantee be explained when the honorable president is emphasizing to the world community that forced labor is being eradicated in Uzbekistan? This is contrary to the policy of our honorable President! We ask the authorities to take control of the situation and eliminate it.”


Маргилон шаҳар ҳокими
Ш.Х.Нисбатхоновга

Маргилон шаҳар,
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202__ йилнинг [redacted] кунидан буён маҳалла раиси лавозимида ишлаб келаман.

Ҳозирги кунда амалга оширилаётган пахта егим-теримига ўз хиссамни қўшиш мақсадида, мен раислик қилаётган маҳаллада фаолият юритаётган хоким ёрдамчиси, хотин-қизлар фаоли, ёшлар етакчиси ва профилактика инспектори иштирокида маҳалла ҳудудида истиқомат қилувчи фуқаролардан 5 нафардан, ҳар куни жами 25 нафар фуқароларни пахта егим-теримига ҳашарга келишларига кафолат бераман.

“[redacted]” МФЙ раиси

28.09.2023 йил

[redacted]

Letter from mahalla officials dated September 28, 2023, addressed to Shukurullohon Nisbathonov, the hokim of Margilan city, Fergana, region states, *“I have worked as a mahalla chairman since ___. In order to promote cotton picking, I undertake together with the staff of my mahalla to find five cotton pickers from among the residents of our mahalla. Thus, I guarantee 25 citizens who will come to pick cotton.”*

36 Eltuz, September 24, 2023, *O’zbekiston tumani hokimidan “Mini master klass”*: https://www.youtube.com/watch?v=gSSGRw4DLoY.
37 Eltuz Telegram channel, letter from mahalla officials, October 5, 2023: https://t.me/eltuzportali/3119.

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FARMERS TRAPPED BETWEEN CLUSTERS AND THE STATE

> “The terms of the contract were never discussed with me.”

Uzbekistan’s agriculture sector retains a so-called “allocation” system, a remnant from the Soviet era approach to agriculture in Uzbekistan. The system obliges farmers who lease land from the state under a long-term land lease agreement to grow cotton and grain regardless of the suitability of the land for their cultivation or whether it is profitable for farmers. Approximately one million hectares of cultivated land (30% of all irrigated land in the country) are allocated for growing cotton. Under this system, the state continues to impose a quota for cotton production, although the government committed to abolishing quotas as they were identified as key drivers of forced labor.
The privatization of the cotton sector and the creation of clusters has not ended the imposition of state quotas on specific plots of land, now run by clusters.

Representatives of some clusters expressed a desire to abandon state regulation and move toward more free market reforms. One cluster manager said, “It is necessary to abandon the allocation of crops, to abandon the imposition of production quotas not only for cotton, but also for other crops. Processors (clusters) will buy cotton, wheat, and silk cocoons on the free market. Farmers put all the blame on clusters, but the current problems of both farmers and clusters are the fault of the existing system which is in dire need of change.”[38]

During October and November 2023, Uzbek Forum monitors conducted 44 in-depth interviews with cotton and grain farmers in all five regions that revealed significant ongoing challenges in the Uzbek cotton sector, many of which are rooted in the lack of autonomy farmers have over most aspects of production. As there is generally only one cluster operating in most districts, farmers have only one buyer with whom they can conclude a contract, which is done at the beginning of each year. When entering into the contract, farmers are not given any guaranteed minimum purchase price for their cotton, although the production target is stipulated.

Farmers do not have the option to refuse to produce cotton because of the allocation system and the terms of their land leases. To produce that cotton, most have to rely on the loans they receive from clusters for critical inputs such as fertilizers and diesel. Farmers are essentially attached to the clusters which provide them with up to 60% of pre-financing of cotton cultivation costs. Clusters generally also do not invest their own funds to grow cotton and receive low-interest loans from the government’s agricultural fund. According to contracts between farmers and clusters, the clusters are obliged to supply farmers with cotton growing inputs, provide machinery for field work, and funds to pay workers, including cotton pickers.[39]

One of the main problems voiced by farmers interviewed by Uzbek Forum was the inflated prices clusters charge farmers for cotton growing inputs, which they estimated were 20-30% more expensive than market prices. Almost all farmers interviewed said that the main reason for the high production costs of their cotton was the inflated prices of seeds, fertilizers, and fuel they were obliged to buy from clusters.

Farmers who had their own funds to buy cultivation inputs on the open market were able to reduce the cost of their cotton production, but they appear to be a small minority. Where farmers have their own machinery and funds to buy cultivation products, the production costs of their cotton are lower than

38 Interview with cluster representative in Andijan region, November 2, 2023, on file with Uzbek Forum.
39 Copy of futures contract for delivery and purchase of raw cotton and seed cotton, September 27, 2023, on file with Uzbek Forum.

Bekzojon Ibragimov, hokim of Buvayda district, Fergana region, distributing gifts to cotton pickers; September 8, 2023.
© Buvayda.info

farmers who are attached to clusters. A farmer in Mingbulok district, Namangan region, who grows cotton as a member of a cooperative, said that their cotton is more profitable because the farmers collectively buy their products at market prices.[40]

The financial situation of farmers has been negatively affected by mass delayed payments of clusters to farmers for cotton they delivered to them in the fall of 2022, with many only receiving payment in full by mid or late 2023. On January 13, 2023, the Farmers' Council, a quasi-governmental, non-elected body, sent a letter to the General Prosecutor's Office requesting the postponement of tax payments for cotton farmers in response to the tax office initiating forced seizures of tax debts from farmers. In its letter, the Council reported that some 30,000 farmers — the vast majority of cotton farmers — had not yet received full payment for the cotton they produced and delivered in 2022 and were therefore unable to pay their taxes.[41] Clusters have justified these delays by citing the downturn in global textile consumption and the declining price of cotton and fiber.[42]

Another problem cited by farmers is the inability to choose which cluster they sell their cotton to. With often only one cluster per district, farmers are geographically limited because of the distance between fields and ginneries or collection points which can add excess fuel costs to their overall production costs. The inability of farmers to choose to contract with alternative clusters significantly undermines their bargaining power over the terms and conditions of their contracts.

Even when farmers do have an opportunity to deliver to an alternative cluster, Uzbek Forum has documented several cases in which local hokimiyats have pressured farmers to deliver only to the cluster in their district. Such pressure can occur even in cases where the cluster has not fulfilled the terms of the contract through delayed payments for delivered cotton or delays in the delivery of fertilizers, which negatively affect crop yields and can lead to missed production targets. In addition to lost profits, failing to meet production targets can also lead to punitive measures against farmers by government officials such as termination of land lease agreements.

40 Telephone conversation with farmer, January 4, 2024.
41 Letter from Farmers' Council, January 13, 2023, on file with Uzbek Forum.
42 Gazeta.uz, August 18, 2023, *Кластеры понесли ущерб на 6 трлн сумов из-за разницы цен на хлопковое сырьё — президент*: https://www.gazeta.uz/ru/2023/08/18/textile/.

Pressure and interference in cotton production by the authorities extend also to clusters themselves. It is unclear what motivation local officials have for acting on behalf of or in the interests of particular clusters, although it has been widely reported that many clusters in Uzbekistan have links to government officials.[43]

A farmer who had contracted with the Sangzor cluster in Dustlik district in Jizzakh region said that farmers were dissatisfied with the cluster due to delays in payments and inflated prices for diesel and fertilizer. As a result, he and several other farmers signed a contract in early 2022 for cotton production with the Kentex cluster in the neighboring district of Zafarabad, also in Jizzakh, but that "the Kentex cluster came under pressure and canceled our contracts, after which we had to sign a contract again with the Sangzor cluster."[44]

This level of persistent involvement and interference by local authorities in the private sector is not only highly unusual but can also be economically damaging for both clusters and farmers. In Rishtan district in Fergana region, a farmer told Uzbek Forum monitors that his fields are located closer to the cotton delivery point of a cluster located in the neighboring Buvayda district. However, the hokim of Rishtan did not permit him to deliver his cotton to the Buvayda cluster because the farmer works on land allocated to the cluster in Rishtan district.[45]

> "The cluster has not yet officially told us the price."

Half of the farmers interviewed said that they did not have a copy of their contract with the cluster that they signed in early 2023. A farmer in Kasbi district, Kashkadarya region, attempted to get a copy of the contract he signed at the beginning of the year with Indorama Agro, a cluster operating in Kashkadarya and Syrdarya regions. In September, when he began delivering his cotton, the farmer wanted to refer to the terms and conditions of his contract, but Indorama Agro refused to provide him with a copy. The farmer was told by a representative of the cluster that the contract had been sent to the hokimiyat for "registration". The farmer then sent a written request to the CEO of Indorama Agro, Deepak Raina, requesting a copy of his contract, but at the time of writing has still received no response.[46]

The lack of autonomy of farmers, caused by their levels of dependency on both the state and clusters, and the resulting absence of negotiating power are the most pressing issues affecting cotton farmers, several of whom freely admitted to Uzbek Forum in interviews in 2023 that they did not even bother to read the terms of their contracts because they simply have no other options. As one farmer said, "The contract was signed at the beginning of the year. I signed it, stamped it, but I didn't even read it and I don't know all the terms and conditions. The terms of the contract were never discussed with me. Later they said that after the cluster signed and filled out the contract, we would be given a copy. The copy was never given. But the contract did not specify the price of cotton and the price of products (fertilizer and fuel). I still don't know to this day. They say that this year the price of cotton will be about the same as last year, around 8,500 UZS ($0.69 US). But the cluster has not yet officially told us the price."[47]

43 Ozodlik, January 5, 2021, *Ери тортиб олинаётган қизириқлик 500 фермер вакиллари Олий Мажлисга арз қилиб борди*: https://www.ozodlik.org/a/yeri-tortib-olinayitgan-qiziriqlik-500-fermer-vakillari-oliy-majlisga-arz-qilib-bordi/31034743.html.
44 Interview with farmer, Dustlik district, Jizzakh region, November 4, 2023, on file with Uzbek Forum.
45 Interview with farmer in Rishtan district, Fergana region, October 16, 2023, on file with Uzbek Forum.
46 Farmer's letter to Mr. Deepak Raina, September 27, 2023, on file with Uzbek Forum.
47 Interview with a farmer in Dustlik district of Jizzakh region, November 1, 2023, on file with Uzbek Forum.

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PROCUREMENT PRICES FOR COTTON IN 2023

> "I will soon become bankrupt."

In January 2023, the president issued a resolution on "Additional Measures to Further Support the Activities of Raw Cotton Producers" which prohibits government officials from illegally interfering in the activities of clusters and influencing their relations with farmers, although the decree makes no mention of the prohibition of officials from interfering in the activities of farmers.[48]

In the summer of 2023, clusters petitioned the state to reduce the cotton purchase price due to the fall in world cotton prices. Based on the President's January resolution, the Ministry of Agriculture issued a statement in mid-September that the price of raw cotton grown in 2023 will henceforth be determined on the basis of market principles, based on the condition of the land in the area, farmers' costs of growing cotton, as well as supply and demand in the market, based on the agreement of the contracting parties, i.e., farmers and clusters.[49] This policy change resulted in considerable uncertainty for farmers, who had already signed contracts with clusters in early 2023 that assumed a state-established purchase price for cotton.

On October 19, 2023, Aziz Voitov, then Minister of Agriculture, announced, "Dear farmers and clusters, today you are operating under market freedom. Only the buyer and seller have the right to determine the price of goods."[50] He emphasized that the Uzbek government would no longer regulate the price of cotton, which would henceforth be determined in accordance with the laws of the market economy. "Sometimes farmers apply to the ministry with a request to set a compulsory purchase price. But we have no right to force companies to buy cotton at a certain price: cooperation should be mutually beneficial — no one should suffer losses," Voitov said.[51] On October 25, 2023, Voitov was dismissed from his position and the Accounts Chamber initiated an audit of the Ministry of Agriculture. Voitov was later arrested on suspicion of crimes under articles for theft by misappropriation or embezzlement, committed on an especially large scale, as well as for abuse of power or official authority causing especially large damage.[52]

Most farmers interviewed during October and November 2023 still expected the government to announce a minimum purchase price that would provide a basis for their negotiations with clusters. All farmers interviewed by Uzbek Forum said that they had little or no ability to influence the price of cotton that had already been delivered to the clusters. In addition, when they enter into contracts with clusters at the beginning of the year when the cotton purchase price remains unknown, farmers receive pre-financing and have already spent most of these funds to grow cotton. Under these circumstances, farmers are in a vulnerable position with little or no ability to influence the price of the cotton they have already handed over.

One farmer explained, "The main problem is that the price of cotton is still not known. Farmers want to know the purchase price of cotton at the beginning of the year to calculate costs. The farmer does not have his own money, so he is forced to buy overpriced products from the cluster. If the farmer has cash, the products can be bought at the market. I refused to buy diesel from the cluster this summer and found money to buy it at the market at a lower price. But most farmers don't have the money."[53]

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48 Resolution of the President of the Republic of Uzbekistan, No. PP-23, January 26, 2023: https://lex.uz/ru/docs/6373132.
49 Kun.uz, September 17, 2023, *Энди пахта нархи эркин бозор тамойиллари асосида белгиланади*: https://kun.uz/74735401#!.
50 Post on Telegram channel of the Ministry of Agriculture, October 19, 2023: https://t.me/uzagroministry/13923.
51 Gazeta.uz, October 20, 2023: *Минсельхоз Узбекистана назвал минимальную ожидаемую цену на урожай хлопка*: https://www.gazeta.uz/ru/2023/10/20/cotton/.
52 Kun.uz, December 18, 2023, *Экс-министр Азиз Воитов арестован – источник*: https://kun.uz/ru/news/2023/12/18/eks-ministr-aziz-voitov-arestovan-istochnik.
53 Interview with a farmer in Yangibazar district, Khorezm region, November 1, 2023, on file with Uzbek Forum.

Cotton fields in Andijan, September 2023. © Uzbek Forum

What transpired during 2023 was far from the promise made by Voitov. In the end, the purchase price of cotton was determined unilaterally by the clusters, seemingly in coordination with hokimiyats and the Ministry of Agriculture, who are responsible for ensuring contracts are concluded between farmers and clusters. Farmers received letters from clusters announcing a non-negotiable price for their cotton which varied from 6,000 to 8,500 UZS per kilo.

Dozens of comments from farmers from numerous districts posted complaints on Telegram channels, that hokimiyats, sometimes in tandem with employees of the Department of Agriculture, forced farmers to agree to the amount of 7,800 UZS per kilo of cotton, along with screenshots of messages from the hokimiyat demanding that farmers send their invoices to the clusters at that price.[54]

In response to a query by Uzbek Forum about how negotiations with farmers on the purchase price of cotton were conducted, a representative of a cluster in Fergana region explained, “On this issue we have conducted a preliminary analysis of the price situation on the basis of futures contracts at the New York Stock Exchange, but we include a certain discount taking into account import alternatives, as we buy here not fiber but raw material and there are some additional costs in comparison with exchange prices. On this market basis we have determined our maximum price for this season at the rate of 8,300 UZS per kilo. Negotiations with farmers have started and approximately 75% have already agreed. According to our calculations, at this price the profitability for farmers exceeds 20%, which is a good income with the current situation on the world textile markets.”[55]

Numerous posts from farmers on social media show that the price many farmers were offered falls below their production costs. As one farmer explained, “One ton of cotton I grew this year cost me 10 million UZS, no matter how hard I tried to cut costs. If I grow cotton at an undervalued price at a loss to myself, I will soon become bankrupt. It should be allowed to grow products that will bring profit, then the farmer will be able to compensate for the losses incurred from cotton. Instead of demanding we plant grain and cotton, it is necessary to study the market and give farmers freedom.”[56]

Under the current system, farmers have no control of their land although they lease it for a minimum of 30 years. Indeed, it appears that the state considers that even the cotton grown by farmers does not

54 Screenshots of messages on file with Uzbek Forum.
55 Email to Uzbek Forum, October 20, 2023, on file with Uzbek Forum.
56 Message on farmers Telegram channel, December 17, 2023: https://t.me/c/1585754401/19170 (closed group available to members only).

actually belong to them. This position was underlined at the end of October 2023, when Uzbek media published excerpts of a video recording of a Zoom conference on the cotton harvest, during which Presidential Advisor Shukhrat Ganiev ordered that cotton should be harvested by machine without farmers' permission and, if necessary, involve police and prosecutors in the process.[57] "Let the cluster harvest itself", Ganiev said, replying to Abror Vakhobov, head of the Inspection of the Agro-Industrial Complex under the Ministry of Agriculture, who had lamented the slow pace of the cotton harvest in Syrdarya region. "Let the cluster not look back at the farmers. Let them load it into the trailer and take it (cotton) away, but they should show how many tons were harvested."

Ganiev went on to state that farmers cannot complain that the cluster took his/her cotton since the clusters provide farmers with financing for planting and cultivating and supply them with seeds and fertilizer. "No matter what the farmer says, the cluster is not doing anything illegal if it decides to pick cotton in farmers' fields using unauthorized machines."

Farmers who spoke to Uzbek Forum complained that the cotton production contracts imposed on them overwhelmingly represent the interests of cotton clusters, yet at the same time force farmers to assume all production risks and associated costs. Farmers sign contracts with clusters at the beginning of the calendar year, without any guaranteed minimum price for their cotton, must procure inputs (either independently or with cluster financing) in spring, and then cultivate the fields from April to August, when the harvest begins. In addition to inputs, farmers are responsible for paying workers needed to prepare fields, maintain the crop and then harvest cotton. According to contracts, farmers generally deliver their cotton to clusters daily during the harvest and clusters are contractually obliged to pay farmers for the cotton they deliver by December 31 of the same year. Since the establishment of clusters, however, farmers have repeatedly complained about late payments.

Since the beginning of 2022, many clusters have faced financial difficulties and have struggled to repay their loans to the state.[58] As of November 2023, it was reported that 122 clusters had debts to the state agriculture fund and 27 clusters had failed to pay farmers for the 2022 cotton crop,[59] causing serious financial distress for the farmers who contract with them.

Farmers' fears that the clusters would again delay payment for the 2023 harvest reached such a level that at the end of October in Payarik district in Samarkand region, a group of farmers guarded the gates of the cluster ginning plant where they had delivered their cotton to prevent it from leaving again before the cluster had paid them.[60] According to the farmers, the cluster owner promised that if they did not agree on a price, the cluster would return the cotton to the farmers.

Tensions continued to escalate to such an extent that one activist farmer, Oybek Tuvalov, was sentenced to 12 days of administrative detention on January 4, 2024 as he reportedly left messages on a Telegram channel "about the need to bring explosive devices."[61] The farmer had alleged that the cluster did not fulfill the terms of his contract which required it to pay for his cotton by December 31, 2023 and called on other farmers to gather in front of the cluster building in Payarik district. On January 4, 2024, the court found Oybek Tuvalov guilty "of violation of procedures for holding unauthorized gatherings, rallies, street marches and demonstrations."[62]

57 Gazeta.uz, October 24, 2023, *«Пусть кластеры заходят на поле и собирают хлопок без оглядки на фермера» — Шухрат Ганиев*: https://www.gazeta.uz/ru/2023/10/24/shuxrat-ganiev/.
58 Gazeta.uz, November 9,2023, *Фермеры Узбекистана смогут выбирать любой кластер в пределах области и продавать излишки урожая — президент*: https://www.gazeta.uz/ru/2023/11/09/farmers/.
59 Gazeta.uz, November 9, 2023, *Фермеры Узбекистана смогут выбирать любой кластер в пределах области и продавать излишки урожая — президент*: https://www.gazeta.uz/ru/2023/11/09/farmers/.
60 Effect.uz, October 21, 2023, *"КЛАСТЕР БЕРОЛМАЙДИ, БЕРМАЙДИ ҲАМ" — САМАРҚАНДДА БАНКИРЛАР ТОЛАНИ ҚЎРИҚЛАЯПТИ. БУ НИМА ДЕГАН ГАП:* https://www.youtube.com/watch?v=YXozgsffpJc.
61 Bugun.uz, January 5, 2024, *Самарқанд вилоятида фермер Ойбек Тувалов 12 суткага қамалди*: https://bugun.uz/samar-and-viloyatida-fermer-ojbek-tuvalov-12-sutkaga-amaldi.
62 Official statement of Samarkand regional court, January 5, 2024: https://t.me/Samarqandvilsudi/6769.

Sherzod Razhabov, hokim of Kyzyryk district, Surkhandarya region, I. Abdullaev, head of the district tax inspection, and M. Maksudov, head of Surkhon Cotton Textile LLC inspecting conditions for cotton pickers, September 8, 2023. © Information service of Kyzyryk district hokimiyat.

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VIOLATIONS OF FREEDOM OF ASSOCIATION AND OBSTRUCTION OF COTTON COOPERATIVES

> "If the cooperatives develop a successful model of cotton production, clusters will be left without guaranteed cheap raw cotton."

Some farmers have established cotton cooperatives to avoid exploitative contracts with and dependency on clusters. In contrast to clusters, cooperatives operate independently of the state, using their own funds to produce cotton without state loans or financing. Cooperatives can therefore sell their cotton on the free market outside the cotton-textile cluster system and are empowered to determine the terms and conditions of their contracts.

During 2023, the Uzbek government continued to obstruct or close down cotton cooperatives in violation of the right to freedom of association. Uzbek Forum analyzed the court cases relating to the liquidation of three cooperatives in Mingbuloq district in Namangan, Khonka district[63] in Khorezm, and Ellikalla district in Karakalpakstan, in 2023.[64] In all three cases, the Inspectorate for the Control of Agro-Industrial Complex filed a lawsuit to the economic courts to liquidate the cooperatives based on

63 Uzbek Forum for Human Rights, February 10, 2023, No place for independent cotton cooperatives in New Uzbekistan: https://www.uzbekforum.org/no-place-for-independent-cotton-cooperatives-in-new-uzbekistan/.
64 Uzbek Forum for Human Rights, December 15, 2023, *Uzbekistan: Farmers' Cooperative Appeals Closure:* https://www.uzbekforum.org/uzbekistan-farmers-cooperative-appeals-closure-protect-right-to-organize/.

Presidential Decree No. 4633,[65] "On measures for the widespread introduction of the market principles in the field of cotton growing" (March 2020). The Agro-Inspectorate referenced the decree to infer that if a cotton-textile cluster is already established in a district, farmers cannot establish a cooperative, but must sign contracts with the cluster. This interpretation, however, is without merit.

Neither Presidential Decree 4633 nor the Law on Cooperation explicitly prohibit cooperatives from operating alongside clusters in the same district. The Law on Cooperation states that "a cooperative has the right to engage in any type of activity except that which is prohibited by legislative acts of the Republic of Uzbekistan." This was confirmed in a letter sent to Art Soft Cluster in September 2023, signed by the head of the Justice Department of Namangan region which refers to the right to establish cooperatives under the Uzbek law on cooperation and a number of other legal provisions.[66]

On December 12, 2023, the President of Uzbekistan signed a new decree on additional measures to further develop free market relations in the agriculture sector.[67] The decree states that if a farmer grows cotton at his own expense, he/she will be able to sell "raw cotton and the products obtained from it, such as fiber, seeds, and lint, on the stock exchange." The decree allows self-financed cotton farmers to also sell raw cotton on the exchange which had previously been prohibited. However, the decree has had no bearing on the decisions of the economic courts in January 2024 to liquidate cooperatives in Namangan and Karakalpakstan.[68]

On January 4, the Supreme Court considered a cassation appeal to prohibit the activity of a cooperative in Namangan and referred the case for reconsideration to the Namangan economic regional court, which had previously already ruled that the cooperative should be forbidden from producing and selling cotton. The same day, the Nukus Economic Court, which considered the appeal of the cooperative in Karakalpakstan upheld the decision of the first court to liquidate the cooperative referring to the presidential decree No. 4633 that allegedly prohibits the operation of a cluster and a cooperative in the same district.

There is no obvious reason why the authorities are prohibiting the activities of successful cooperatives growing cotton with their own funds. One farmer working with a cooperative said that, "If the cooperatives develop and show a successful model of cotton production, more and more farmers will want to leave the cluster system, and then clusters will be left without guaranteed cheap raw cotton."[69]

65 Resolution No. 4633 of the President of the Republic of Uzbekistan, *On measures for the widespread introduction of market principles in the field of cotton growing*, March 6, 2020: https://lex.uz/docs/4756992.
66 Letter sent to Art Soft Cluster from the Justice Department of Namangan region, September 4, 2023, on file with Uzbek Forum.
67 Gazeta.uz, December 14, 2023, *Контракты на поставку хлопка-сырца в Узбекистане будут заключаться через биржу, фермеры получат частичную свободу*: https://www.gazeta.uz/ru/2023/12/14/farmers-clusters/.
68 Eltuz, January 9, 2024, *Sud fermerlar kooperativini xonavayron qildi:* https://www.youtube.com/watch?v=PsjlhrMfWmo.
69 Telephone conversation with a farmer from Namangan region, January 4, 2024.

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RETALIATIONS AGAINST WORKERS AND LABOR RIGHTS MONITORS AT INDORAMA AGRO

During the 2023 harvest, retaliations against workers at Indorama Agro, a cotton-producing company in receipt of loans from the European Bank for Reconstruction and Development (EBRD), the International Finance Corporation (IFC) and the Asian Development Bank (ADB), totaling $145 million, escalated significantly.

Former farmers in Syrdarya, whose land was illegally transferred by government decree to Indorama Agro[70] on the promise of employment at the company, have repeatedly tried to address poor working conditions, mass redundancies, abuse of labor contracts and attempts to undermine the activity of its trade union. In 2021, workers voted to form Uzbekistan's first known democratically elected trade union, which immediately came under pressure from both Indorama management and local authorities.[71] In December 2022, the employment contracts of some 370 workers were terminated and their status reclassified as "service providers", essentially depriving them of employee benefits, security of employment, and trade union membership. Workers have complained to rights monitors and company management of abusive contracts that are arbitrarily amended, increased workloads without extra remuneration and failure to pay workers in accordance with their contracts. Uzbek Forum has documented ongoing rights abuses at Indorama Agro since 2021 and has repeatedly raised them with the Banks and company management.[72]

At the end of August 2023, Indorama workers who had signed up to participate in a workshop on labor rights in Almaty, Kazakhstan, were prevented by security service officials from traveling. One had his passport confiscated before he was due to travel and two others were held at the airport before being permitted to pass through immigration. Security service officials then entered the bus taking passengers to the airplane and removed one of the workers while the other managed to board the plane. However, officials then proceeded to remove him from the plane, and both were escorted by the officials back to their homes. No legitimate reason was given and a request to the government for an investigation into the incident was never acted upon.

Meetings between Indorama workers and labor rights monitors have been disrupted and subjected to surveillance by security agents and, in some cases, workers who spoke to Uzbek Forum monitors were subsequently interrogated by police and/or security officials for up to four hours. On December 23, 2023, a group of Indorama workers were summoned to the offices of the mahalla in Akaltyn, Syrdarya region. There, officials from the Syrdarya regional department of internal affairs, the regional prosecutor's office, and the regional agricultural department threatened them that ongoing engagement with Uzbek Forum monitors would have unspecified "negative consequences."

Retaliations have since escalated. In January 2024, a monitor for Uzbek Forum was explicitly told by a man who introduced himself as an officer at the Main Department of Internal Affairs (GOVD) in Tashkent that a criminal case had been prepared against them, that their labor rights monitoring at Indorama was "illegal", and that "their life is in danger" due to their work with Indorama workers. The monitor was told that GOVD would conduct a legal assessment of the monitor's engagement with workers and threatened that this assessment would result in criminal proceedings against them if they did not end their contact with Indorama workers.

70 Uzbek Forum, February 19, 2021, *Land-grabs – the new red flag for Uzbek cotton sector*: https://www.uzbekforum.org/land-grabs-the-new-red-flag-for-uzbek-cotton-sector/.
71 Uzbek Forum, January 17, 2023, *Will Uzbekistan's first democratically elected trade union survive?*: https://www.uzbekforum.org/will-uzbekistans-first-democratically-elected-trade-union-survive/.
72 Uzbek Forum, June 7, 2022, *Indorama Agro project, Uzbekistan: unmitigated human rights violations persist*: https://www.uzbekforum.org/indorama-agro-project-uzbekistan-unmitigated-human-rights-violations-persist/.

In August 2023, Uzbek Forum, assisted by Bankwatch, filed a request for compliance review with EBRD's independent project accountability mechanism (IPAM).[73] It is notable that no other incidents of retaliation or obstruction of monitoring occurred at other clusters where monitoring took place in 23 districts of five regions during the 2023 harvest.

73 EBRD, Case Registry, August 3, 2023: https://www.ebrd.com/work-with-us/projects/ipam/2023/09.html.

CONCLUSIONS

The Uzbek government has made significant progress in addressing forced and child labor in the cotton fields. While the vast majority of cotton picking during the 2023 harvest took place without the use of coercion, the risks of backsliding remain high for two main reasons:

1. **The attempt to selectively introduce market principles in the cotton sector while retaining tight government control of cotton production has led to unequal and often opaque power relationships between clusters, farmers and government officials.**

   The continued imposition of government-set cotton quotas or targets and the obligation of officials to ensure they are met, puts immense pressure on officials who are under threat of penalty by their superiors, including the advisor to the president. This increases the risk that these officials will resort to the use of forced labor in order to avoid reprisals.

   The lack of autonomy for farmers over what they grow and their lack of bargaining power with clusters to negotiate fair prices for their cotton, undermines the ability of farmers to pay sufficient wages to recruit sufficient numbers of pickers and fulfill their contractual production targets. The vulnerability of farmers is exacerbated by the insecurity of land lease tenure and the risk of reprisals such as arbitrary termination of land lease agreements by officials for failing to meet targets. This in turn increases the risk they may resort to the use of forced labor.

2. **The persistent refusal of the government to uphold its international commitments to freedoms of association, speech, collective bargaining, as well as the rule of law, poses serious challenges to workers and farmers who wish to invoke their rights or speak out against rights violations.**

   The ability of workers, including pickers and farmers, to organize independent trade unions, NGOs, and associations that collectively represent their interests is severely curtailed. Farmers are at the mercy of clusters to determine the price they will be paid for their cotton and the price of critical inputs for cotton cultivation, often leaving them in debt and without means of redress. The absence of rule of law permits an atmosphere of impunity for abusive clusters that fail to make timely payments for the cotton that has been delivered by farmers and leaves no channels of redress for farmers whose land has been illegally confiscated by officials. Farmers who attempt to operate outside of the cluster system by forming independent cooperatives are prevented from doing so in violation of national legislation.

   The alarming downward spiral of retaliations against human rights activists, labor rights monitors, bloggers, and journalists in Uzbekistan in general,[74] restricts the environment for independent rights monitoring and reporting . This creates serious challenges for investors, brands and retailers who rely on independently verified assurances that no rights violations are occurring in their supply chains.

The Uzbek government must recognize that upholding its international commitments to human rights and rule of law is integral to preventing an increase in the risk of forced labor and other serious rights violations. Ensuring the sustainability of reforms undertaken to date, which are now in danger of being reversed, must be reinforced by further reforms that grant farmers greater autonomy and voice in production systems, ensure strong remedy and grievance mechanisms for farmers and workers when their rights are violated, and provide a more equitable distribution of the profits derived from the cotton sector.

74 Uzbek Forum, June 20, 2023, *President's Broken Promises Put Journalists and Bloggers at Risk*: https://www.uzbekforum.org/presidents-broken-promises-puts-journalists-and-bloggers-at-risk/.

RECOMMENDATIONS

To the government of Uzbekistan:

- Abolish the allocation system for cotton and grain and ensure the autonomy of farmers to decide on what they cultivate.
- Abolish de facto quotas for cotton production and remove the obligation of officials to ensure their fulfillment.
- Introduce a system of incentives for farmers to achieve national agriculture production targets instead of imposing punitive measures for failing to meet arbitrarily imposed production targets through the allocation system.
- Create an enabling environment in which farmers enjoy the autonomy to enter into contracts with clusters of their choice and conduct free and fair negotiations on the terms and conditions.
- Desist from punitive actions against cotton cooperatives and reverse court decisions that have closed them in violation of the law.
- Ensure accountability and remedy for farmers whose land leases have been illegally terminated.
- Make subsidies to cotton clusters contingent on fulfillment of their contractual obligations.
- Create an enabling environment for civil society activity, independent monitoring, the formation of independent civil society organizations, including farmers associations and trade unions, and desist from retaliatory actions against rights defenders, labor rights monitors, bloggers and journalists.
- Conduct a comprehensive review of policies and practices related to the agricultural sector and implement necessary reforms to ensure they comply with the International Labor Organization's *Policy Guidelines for the Promotion of Decent Work in the Agri-Food Sector*.[75]
- Ensure that responsible government agencies, including the State Labour Inspectorate, uphold labor standards in accordance with the Uzbek labor code at textile clusters across all stages of production.
- Ensure accountability for government officials using state authority to force people to produce cotton.

To cotton clusters:

- Ensure the timely conclusion of contracts with farmers that are negotiated fairly and without interference by officials.
- Ensure that farmers are given copies of their contracts that contain a minimum price for their cotton at the beginning of the year and the timely supply of critical inputs.
- Ensure that terms and conditions of contracts with farmers are upheld, including the timely payment for delivered cotton by the end of the year it was delivered.
- Prevent the interference of officials in the production and delivery of cotton.
- Uphold international labor standards across all stages of production with both contract farmers (in "contract farming") and farmworkers (in "direct farming").

75 International Labor Organization, May 8-12, 2023, Meeting of Experts on Decent Work in the Agri-food Sector: *An Essential Part of Sustainable Food Systems, Geneva*: https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/normativeinstrument/wcms_873895.pdf.

To embassies and international organizations:

- Convey to the Uzbek government and textile sector the human rights obligations of Western companies, brands, and investors and the need to implement the recommendations outlined in the sections above.
- Promote freedom of association and freedom of speech as essential components of an enabling environment that will ensure independent monitoring and reporting, protect labor monitors and those reporting on rights violations in the cotton sector, and encourage responsible business.
- Promote and provide financial and technical support for the establishment of independent cotton cooperatives and urge the government to desist from obstructing their formation and operation.
- Urge the Uzbek government to simplify the registration process for independent NGOs and trade unions as part of its binding international legal obligations.

To brands and retailers:

- Convey to the Uzbek government and the textile industry the need for unobstructed independent monitoring to effectively identify, mitigate, remedy, and prevent human rights violations in compliance with international rights standards and supply chain legislation, in order to encourage responsible sourcing of cotton products from Uzbekistan.
- Assess whether sourcing Uzbek cotton goods can comply with human and labor rights commitments and legal obligations not to use forced and exploitative labor in supply chains and evaluate whether the company has the means and capacity to effectively implement human rights due diligence and mitigate human rights risks in its Uzbek supply chain before making sourcing decisions.
- Engage in good faith with the Cotton Campaign and explore the possibility of joining the Cotton Campaign's pilot program for responsible sourcing to establish and encourage best labor practices in the Uzbek cotton and textiles industry.

To licensing, auditing, and certification programs:

- Convey to the Uzbek government and industry that independent monitoring and reporting, as well as freedom of association and collective bargaining rights are essential for compliance with international supply chain standards.
- Advocate for broader reforms to empower civil society and achieve an enabling environment for labor rights.
- Prior to starting a program/project in Uzbekistan, conduct comprehensive due diligence, including a risk analysis and assessment of the enabling environment for labor rights. This exercise should take into account the implementation of reforms to end forced labor in practice, a gap analysis, and mitigation strategies.
- Consult with the Cotton Campaign and independent civil society organizations in decision making about the development and/or implementation of programs and projects in Uzbekistan.

To multilateral development banks (MDBs):

- Desist from funding cotton companies that commit serious rights violations, including retaliations against workers and labor rights monitors and ensure independent rights monitors have full and unfettered access to project sites, workers, and other project affected stakeholders at all times without threat of reprisal.
- Conduct enhanced human rights due diligence in all investment projects in Uzbekistan, including assessment of risks of retaliation, and ensure that labor rights and the rights of farmers are protected.
- Ensure all projects are in full compliance with the Banks' own performance standards and international best practice on stakeholder engagement, information disclosure, labor and working conditions, land acquisition, risk and impacts assessment and management, including monitoring and remedy, mitigation requirements, and access to grievance mechanisms.
- Conduct ongoing and meaningful stakeholder engagement, including engagement with workers, farmers and land users and their legitimate representatives, prior to project approval and at every stage of the Banks' due diligence process and ensure all project information, including environmental and social impacts, is readily accessible in Russian and Uzbek.
- Promote and support the establishment of cooperative farms with funding and technical assistance.

UZBEK FORUM FOR HUMAN RIGHTS E.V.
PO Box 35 05 46
10214 Berlin
Germany

info@uzbekforum.org
www.uzbekforum.org

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